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Attorneys for Plaintiff  
 California Restaurant Association

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

CALIFORNIA RESTAURANT  
 ASSOCIATION, a California nonprofit mutual  
 benefit corporation,

Plaintiff,

v.

CITY OF EMERYVILLE, a California  
 municipal corporation,

Defendant.

**Case No. 3:16-cv-06660-JST**

**STIPULATION TO CHANGE HEARING  
 DATE ON CALIFORNIA RESTAURANT  
 ASSOCIATION'S MOTION FOR  
 PRELIMINARY INJUNCTION and CITY  
 OF EMERYVILLE'S MOTION TO  
 DISMISS; PROPOSED ORDER**

Plaintiff California Restaurant Association ("CRA") and Defendants City of Emeryville ("the City") and Unite Here Local 2850 ("Local 2850") (collectively, "the Parties") hereby stipulate and agree that the hearing date currently set for March 9, 2017 at 2:00 p.m., in Courtroom 9 to hear CRA's Motion for Preliminary Injunction and the City's Motion to Dismiss (collectively, "the Motions") be moved to March 23, 2017. This stipulation is made pursuant to Rules 6-1, 6-2, and 7-12 of the United States District Court for the Northern District of California.

The Parties also hereby stipulate to the following briefing schedule for the respective opposition and reply briefs for the Motions:

Opposition Briefs: February 21, 2017

Reply Briefs: February 28, 2017

There have been two previous time modifications in this case. First, on December 28, 2016, the Parties agreed by stipulation (Dkt. No. 11) that the City's responsive pleading deadline would be extended from January 4, 2017 to January 18, 2017. Second, on January 10, 2017, the Court entered an Order (Dkt. No. 13) granting the Parties' stipulation to extend the City's responsive pleading deadline to January 31, 2017, reserve a March 9, 2017 hearing date on the Motions, and set a corresponding briefing schedule.

Subsequent to the prior stipulation setting a March 9, 2017 hearing date, CRA's counsel has received notice to appear for a hearing in another matter and is no longer available on March 9. The City's counsel in turn is scheduled to be in trial during the week of March 16, 2017. Accordingly, March 23, 2017 is the next available date on the Court's motion calendar that counsel for all parties are available.

Continuing the hearing on the Motions will have no significant impact on the schedule for this case as the case is not yet at issue and no trial date has been scheduled.

**IT IS SO STIPULATED.**

Dated: February 9, 2017

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By: /s/ Lukas J. Clary  
Lukas J. Clary

Attorneys for Plaintiff  
California Restaurant Association

Dated: February 9, 2017

Burke, Williams & Sorensen LLP

By: /s/ J. Leah Castella  
J. Leah Castella

Attorneys for Defendant  
City of Emeryville

Dated: February 9, 2017

McCracken, Stemerman & Holsberry, LLP


By: /s/ Paul L. More  
Paul L. More

Attorneys for Intervenor  
UNITE HERE Local 2850`

**~~PROPOSED ORDER~~**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: February 10, 2017

  
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Hon. Jon S. Tigar